

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

INNER-TITE CORP

Plaintiff,

V.

DEWALCH TECHNOLOGIES, INC.

Defendant.

Civil Action No.  
04 40219 FDS

**AFFIDAVIT OF ROBERT E. RAFFERTY**

I, Robert E. Rafferty, hereby depose and state as follows:

1. I am the inventor of the subject matter of U.S. Patent No. 6,763,691.
2. The function of the jaw of claim 1 of the '691 patent is to press against the side wall of the meter box generally opposing the force provided by the first flange.
3. The structure by which this function is achieved is a rigid element that attaches to the bracket and is movable toward the side wall of the meter box.
4. The result thereby achieved by the jaw is to secure the bracket to the meter box side wall in cooperation with the force exerting means and the first flange.

5. I have reviewed the ProLock 1 product that has been sold by DeWalch, and prepared the following drawings attached hereto as Exhibit A based on measurements that I took from the ProLock 1 product. The drawings were created in the AutoCAD computer program sold by Autodesk, Inc. of San Rafael California. The AutoCAD program permits any desired view of an object or set of objects to be generated once the dimensions of each object are entered into the program.

6. The drawings attached as Exhibit A are true and accurate representations of the ProLock 1 product that has been sold by DeWalch.

7. I have reviewed the ProLock 2 product that was provided by counsel for DeWalch, and I created the AutoCAD drawings attached hereto as Exhibit B based on measurements taken from the ProLock 2 product.

8. The drawings attached as Exhibit B are true and accurate representations of the ProLock 2 product that was provided by counsel for DeWalch.

9. I have applied each of the ProLock 1 and ProLock 2 products to meter boxes.

10. The jaw of each of the ProLock 1 and ProLock 2 products is a mechanical part that opens and closes to engage a meter box side wall. Each jaw is interengaged with

and carried by a bracket for movement in the general area that separates the first and second flanges such that force may be applied by the force exerting lever from the second flange against the meter box wall.

11. The jaw of each of the ProLock 1 and ProLock 2 products presses against the side wall generally opposing the force provided by the first flange. The fact that the jaw may not be precisely aligned with the first flange does not in any way detract from the fact that the jaw presses against the side wall generally opposing the force provided by the first flange.

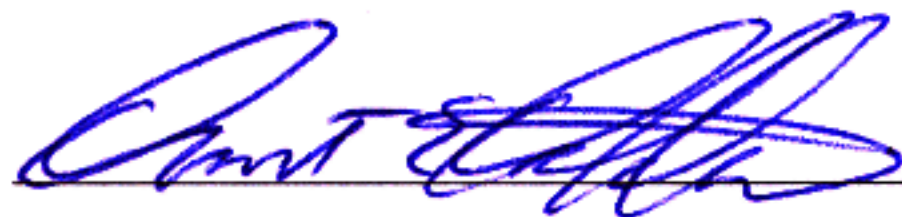
12. The structure by which this function is achieved in each of the ProLock 1 and ProLock 2 products is by a rigid element (the jaw) that attaches to the bracket on the second flange and is movable toward the side wall of the meter box.

13. The jaw, first flange and force exerting means of each of the ProLock 1 and ProLock 2 products cooperate to achieve the function of securing the bracket to the meter box side wall. I was unable to remove the bracket of either the ProLock 1 or ProLock 2 products from the meter box without releasing the force exerting means.

\* \* \* \* \*

Signed under penalties of perjury.

Date: May 19, 2006



Robert E. Rafferty